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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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EXAMINER

PARRY, CHRISTOPHER L

ART UNIT PAPER NUMBER

2614

DATE MAILED: 08/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-------------------------------|-------------------------------|--|
| Office Action Summary | Application No. 09/895,879 | Applicant(s) ISTVAN ET AL. | |
| | Examiner Chris Parry | Art Unit 2614 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) 1-12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>02/20/02, 02/18/03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of claims in Group II (Claims 13-21) in the reply filed on July 29, 2005 is acknowledged.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: Figure 14 shows steps 322 and 324 for the implementation of step 303 (figure 12) which are not described in the specification. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to because in figure 10, the step of providing a ticket number to the access device is referenced as "285" and the examiner believes the applicant intended to reference number --286--. Also in figure 10A, the step of creating

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the user object with default information is referenced as "282" and the examiner believes the applicant intended to reference number --287--. In figure 17, in step 386, the examiner believes applicant indented "non-projected" to be --non-protected--.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

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applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 13-24, 29-30, and 33 are rejected under 35 U.S.C. 102(e) as being anticipated by Gautier (U.S. 6,618,858).

Regarding Claim 13, the claimed element "receiving information that an access device is being associated with a household" is taught by Gautier in figure 2, at step 204. Gautier teaches once plugged in, the ASTB goes through an initialization process to establish connectivity between the ASTB and the MSO (column 5, lines 35-40). The claimed element "determining whether the access device is the household's first access device" is taught by step 206 in figure 2. Gautier teaches a new customer must enter a registration code on the home page of the MSO (column 5, lines 41-49). The claimed element "providing to the access device configuration information for at least one user object associated with the household when the access device is not the first access device of the household", is taught by Gautier (column 9, lines 11-35). Disclosed by Gautier is if an existing viewer wants to use services on another ASTB, the viewer needs to bind the viewer account to the existing NID.

As for Claim 14, the claimed element "receiving configuration information for at least one user object from a user via the access device when the access device is the first access device of the household" is taught by Gautier (column 5, lines 49-59). Disclosed by Gautier, at step 202 the new viewer contacts the MSO operator who establishes a new subscriber account using the viewers name and address. The MSO operator then provides the user with a registration code to be used on the MSO home

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page to validate the new viewer. The MSO uses the code to validate the subscriber and when the validation is completed, a binding between the ATSB and information on and a first account on the network is established by using the information the user initially provided to the MSO (column 5, lines 12-57).

As for Claim 15, the claimed element “providing to the access device a ticket number corresponding to the configuration information received from the user”, is taught in step 210 of figure 2. Gautier teaches the network creates a UID and provides the UID to the subscribers ASTB (column 5, lines 65-67, column 6, lines 1-8). An example of an UID is shown in figure 4.

Regarding Claim 16, the claimed element “means for receiving information that an access device is being associated with a household” is taught by Gautier in figure 2, at step 204. Gautier teaches once plugged in, the ASTB goes through an initialization process to establish connectivity between the ASTB and the MSO (column 5, lines 35-40). The claimed element “means for determining whether the access device is the household’s first access device” is taught by step 206 in figure 2. Gautier teaches a new customer must enter a registration code on the home page of the MSO (column 5, lines 41-49). The claimed element “means for providing to the access device configuration information for at least one user object associated with the household when the access device is not the first access device of the household” is taught by Gautier (column 9, lines 11-35). Disclosed by Gautier is if an existing viewer wants to use services on another ASTB, the viewer needs to bind the viewer account to the existing NID.

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As to Claims 17, and 20 are rejected wherein "receiving configuration information for at least one user object from a user via the access device when the access device is the first access device of the household" (Column 12, lines 12-59).

As to Claims 18 and 21 are rejected wherein "providing to the access device a ticket number corresponding to the configuration information received from the user" (column 5, lines 65-67, column 6, lines 1-8).

Regarding Claim 19, the claimed element "receiving information that an access device is being associated with a household" is taught by Gautier in figure 2, at step 204. Gautier teaches once plugged in, the ASTB goes through an initialization process to establish connectivity between the ASTB and the MSO (column 5, lines 35-40). The claimed element "determining whether the access device is the household's first access device" is taught by step 206 in figure 2. Gautier teaches a new customer must enter a registration code on the home page of the MSO (column 5, lines 41-49). The claimed element "providing to the access device configuration information for at least one user object associated with the household when the access device is not the first access device of the household", is taught by Gautier (column 9, lines 11-35). Disclosed by Gautier is if an existing viewer wants to use services on another ASTB, the viewer needs to bind the viewer account to the existing NID.

As to Claim 22, the claimed element "wherein information that the access device is being associated with the household is automatically received in response to a user coupling the access device to the multimedia communication network system" is taught

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by Gautier (column 5, lines 37-40). Gautier teaches once the ASTB is plugged in, it goes through an initialization process to establish connectivity with the MSO.

As to Claim 23, the claimed element "receiving information that an access device is being associated with the household includes prompting the user to identify the household includes prompting the user to identify the household when the access device is being coupled to the multimedia communication network system", is taught by Gautier (column 7, lines 21-26). Gautier teaches when a viewer logs on to an ASTB; a viewer enters a TV name and a PIN to be used to retrieve the associated UID.

As to Claim 24, the claimed element "providing to the access device an indication of whether the access device is determined to be the household's first access device", is taught by Gautier (column 5, lines 37-50). Gautier teaches the new viewer can only access the MSO home page and to access the MSO services, the viewer must enter a registration code on the home page of the MSO, which was obtained earlier from an MSO operator in step 202. Once the viewer enters the registration code, the network validates the viewer's information to facilitate successfully binding the ASTB to the MSO and creating the NID.

As to Claim 29, the claimed element "receiving updated configuration information for the at least one user object via the access device" is taught in step 510 in figure 5. Gautier teaches when a new viewer account is created, the viewer is directed to the member services page to set preferences, settings, login names, passwords, etc. to create an NID. Further, once the NID is created the network generates a UID, which is

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transmitted to and stored in the cached ASTB viewer record (column 8, lines 66-67 and column 9, lines 1-10).

As to Claim 30, the claimed element "determining whether an administrator attribute in the at least one user object enables a protected setting in the configuration information to be updated", is taught in step 502 in figure 5. Gautier teaches when a viewer is attempting to create another account; the ASTB determines whether the viewer of the existing account has the necessary rights to make another account (column 8, lines 39-51).

As to Claim 33, the claimed element "when the access device is the household's first access device, providing to the access device configuration information for at least one user object that was created beforehand", is taught by Gautier. Disclosed by Gautier, to register, the viewer must enter the registration code on the MSO home page, the MSO uses the code to validate the subscriber. When the validation is completed, a binding between the ATSB and MSO is complete and information on a first account on the network is established by using the information the user initially provided to the MSO operator in step 202 in figure 2 (column 5, lines 9-64).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gautier.

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Regarding Claim 35, Gautier teaches, a user logs on to a ASTB by entering a TV name and a PIN, which is used to associate a user's UID with NID 302, which allows a user the opportunity to make changes to his/her account. Gautier discloses table 402 in figure 4, which is used to store each UID and the services associated with each UID (column 7, lines 17-67). When the user makes changes to available services, the services associated with the user's UID are either added or deleted rather than the server creating a new UID for the changes. Gautier fails to teach providing to the access device a different ticket number with updated configuration information for at least one user object. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Gautier in order to provide a new ticket number each time a user updated his/her configuration information and provide the associated new ticket number to the access device. One would have been motivated to make this modification in order to allow a user to recall previous configuration information settings.

8. Claims 25-28, 31-32, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gautier in view of Ellis et al. (U.S. 2005/0028208).

Regarding Claim 25, Gautier teaches providing configuration information to other ASTB (column 9, lines 11-14). Gautier fails to teach "the configuration information for the at least one user object is automatically provided to the access device." Ellis et al. teaches a program guide system, that coordinates the operation of the multiple interactive television program guides, so that changes made to the first interactive television program guide may be used by the second interactive television program

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guide (paragraph 191-192). Ellis et al further teaches the user may indicate specific locations, whether it be the current location, specific locations, or all locations, for the settings to be applied to (figure 40). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Gautier with the teachings of Ellis et al. to automatically provide configuration information for a user object to an access device for the benefit of allowing users to user personalized settings in different locations within a household (Ellis et al. - paragraph 13).

Claim 26 is rejected wherein "when the access device is not the first access device of the household, providing to the access device configuration information for all of the user objects associated with the household" based on similar grounds as the rejection of claim 25.

Claim 27 is rejected wherein "the configuration information for all of the user objects is automatically provided to the household" based on similar grounds as the rejection of claim 25.

As for Claim 28, Gautier teaches users may access different ASTBs and access their personalized settings by logging on. Gautier fails to teach all user objects [are] provided to the access device in response to a request. Ellis et al. teaches users can request locations of where they would like settings applied to during initial configuration of profiles as shown in figure 40 (paragraph 217). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Gautier with Ellis et al. to provide user objects to access devices upon

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request to allow users to control the locations of where settings are applied to (Ellis – paragraph 13).

As for Claim 31, Gautier fails to teach automatically providing to the access device updated configuration information for the at least one user object. Ellis et al. teaches in figures 28 and 40, the user may make changes to user settings and indicate which locations for the changes to apply to. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Gautier with the teachings of Ellis et al. to automatically providing to the access device updated configuration information for the at least one user object to facilitating users to apply personal settings to more than one location in a household (Ellis – paragraph 13).

As for Claim 32, Gautier teaches when a child account is created, the viewer is asked to set preferences and once preferences are set, an NID is created and provided to the network. The ASTB receives a UID back from the network to associate with the users updated configuration information (column 8, lines 52-67 and column 9, lines 1-10).

As for Claim 34, Gautier teaches “at least one user object was created beforehand by a service provider in the multimedia communication network system.”, in figure 2, starting at step 202. At step 202, the new viewer contacts the MSO operator and a new subscriber account is created which contains general information like name and address. The new viewer is provided with a registration code, which is used later to validate the subscriber with the MSO. Once the validation is complete, information on the first account on the network is established (column 5, lines 12-59).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art with respect to storing personalized preferences at a server.

U.S. Pub. No. 2002/0029384 to Griggs

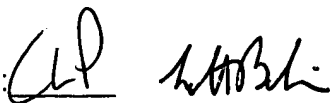
U.S. Pat. No. 6,308,203 to Itabashi et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chris Parry whose telephone number is (571) 272-8328. The examiner can normally be reached on Monday through Friday, 8:30 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner's Initials:
August 19, 2005

Handwritten initials of the examiner, 'CP', and the supervisor, 'JH', are written in black ink next to the printed text.